

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-08-0694 SBA
)	
Plaintiff,)	ORDER GRANTING STIPULATED
)	REQUEST TO SET CHANGE OF PLEA
v.)	AND SENTENCING ON FEBRUARY 23,
)	2010, AND TO EXCLUDE TIME UNDER
GABRIEL MAGANA VALDEZ,)	THE SPEEDY TRIAL ACT
)	
Defendant.)	Date: February 23, 2010
)	Time: 10:00 a.m.
)	Court: Hon. Sandra Brown
)	Armstrong

The parties jointly requested that status hearing in this matter be vacated and that this matter be set for change of plea and sentencing on February 23, 2010, at 10:00 a.m. The parties further requested that time be excluded under the Speedy Trial Act between November 30, 2009 and February 23, 2010, to allow time for the Court to consider the proposed plea agreement to be entered into by the defendant and the attorney for the government, and to allow time for the preparation of a Presentence Investigation Report by the United States Probation Office. Defendant agreed that the Court may review the pre-plea Presentence Investigation Report even though he has not yet pleaded guilty. Good cause appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(1)(G),

STIP. REQ. TO SET CHANGE OF PLEA & SENTENCING ON DECEMBER 1, 2009 & TO EXCLUDE TIME
No. CR-08-0694 SBA

1 **IT IS HEREBY ORDERED** that the status conference currently scheduled for
2 December 1, 2009, is vacated and this matter is set for change of plea and sentencing on
3 February 23, 2010, at 10:00 a.m., and that time between November 30, 2009, and February 23,
4 2010, is excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. §
5 3161(h)(1)(G), for consideration by the Court of a proposed plea agreement to be entered into by
6 the defendant and the attorney for the government.

7 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a
8 Presentence Investigation Report.

9
10 DATED: _12/1/09


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge